



STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

In the Matter of Ryan Ricci,
Human Services Specialist 1
(PC0330W), Gloucester County

CSC Docket No. 2018-3222

Examination Appeal

ISSUED: July 23, 2018 (RE)

Ryan Ricci appeals the decision of the Division of Agency Services which found that he did not meet the experience requirements for the promotional examination for Human Services Specialist 1 (PC0330W), Gloucester County.

The subject promotional examination had a closing date of February 21, 2018 and was open to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date in the titles Human Services Aide, or Human Services Aide Bilingual in Spanish and English OR to employees in the competitive division who had an aggregate of one year of continuous permanent service as of the closing date in any competitive title and who met the announced requirements, These requirements included possession of 60 semester hour credits from an accredited college or university. Experience involving any combination of the following could be substituted for the educational requirement: 1) securing/verifying information and making determinations or recommendations relating to eligibility or qualifications of applicants for loans, insurance, credit, or entitlement to cash awards, financial benefits or adjustment and settlement of insurance claims; 2) investigations involving the collection of facts and information by observing conditions, examining records, interviewing individuals, and preparing investigative reports of findings; or 3) investigating, establishing, and/or enforcing support obligations in a welfare board or agency, court system, or related agency. The appellant was found to be below the minimum requirements in experience. Eight candidates appeared on the eligible list, which was certified once, but no appointments have yet been made. It is noted that there are ten provisional incumbents, and it is expected that the list will be exhausted.

On his application, the appellant did not indicate any college credits, and he listed one position, Public Safety Telecommunicator from August 2009 to April 2016. Official records indicate that the appellant also held the title Human Services Aide from April 2016 to April 2017, and was a provisional Human Services Specialist 1 from April 2017 to the February 2018 closing date. His experience as a Public Safety Telecommunicator was not accepted.

On appeal, the appellant argues that he has been working in Social Services since April 2016, which exceeds the one year requirement. He argues that his experience as a Public Safety Telecommunicator should be accepted since he gathered facts, examined records, interviewed individuals and prepared his findings for reports. It is noted that these were not the same duties that the appellant listed on his application for that position.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional examination announcement by the closing date.

N.J.A.C. 4A:1-1.2(c) provides that the Civil Service Commission may relax the rules for good cause in a particular situation, on notice to affected parties, in order to effectuate the purposes of Title 11A, New Jersey Statutes.

In the instant matter, the appellant indicated that he held one position, Public Safety Telecommunicator. The Division of Agency Services correctly determined that the appellant was not eligible for the subject examination as incumbents in the Public Safety Telecommunicator title series are not assigned the duties listed above. Nevertheless, the appellant accrued ten months in his provisional position, and continues to serve in his provisional position. Since the closing date, the appellant has accrued at least two months of additional experience in his provisional position, and the list is expected to be exhausted as provisional incumbents outnumber the eligible list count. As such, good cause exists to relax the provisions of *N.J.A.C.* 4A:4-2.6(a), and accept the appellant's experience after the closing date and admit him to the examination.

On a final note, the appellant had been informed that the online application process is automated and provides instructions to candidates on how to properly complete their applications. Also, the application states that, by clicking "yes," the applicant certified that the employment history was complete and accurate. The On-Line Application System User's Guide cautions applicants to carefully review the application to ensure that it is complete and accurate before submitting, and to complete the application in detail. It states that failure to complete the application properly may cause the applicant to be declared ineligible. The instructions under

the experience portion of the applications advise applicants to provide **all** employment information (not just current employment information), and if they have multiple positions, they need to make sure that they provide each one separately. The appellant should follow these instructions and properly complete any future applications for examinations.

ORDER

Therefore, it is ordered that this appeal be granted, and the appellant's application be processed for prospective appointment only.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 18th DAY OF JULY, 2018



Deirdre L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher S. Myers
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P. O. Box 312
Trenton, New Jersey 08625-0312

c: Ryan Ricci
Chad Brunner
Kelly Glenn
Records Center